IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 10545 of 2005

Between:

G.B. Naidu S/o Late G.N. Naidu
GD No. 814500309 O/o Deputy Commandant, CISF Unit
Salarjung Museum, Hyderabad –2.

..... PETITIONER

AND

1 The Deputy Commandant CISF Unit Salarjung Museum,
Hyderabad-2
2 The Director General, CISF., Head Quarters, 13 CGO's Complex,
Lodi Road, New Delhi

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction more particularly one in the nature of writ of Mandamus declaring the action of the 1st respondent in trying to transfer me without considering my representation dt 8-03-2005 is illegal, arbitrary and contrary to the circular No. 18/2004, dt 20-12-2004 issued by the 2nd respondent not to transfer the petitioner for one year and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case

Counsel for the Petitioner: MR.D.L.PANDU

Counsel for the Respondents.: MR.A.RAJASHEKAR REDDY (ASST.SOLICITOR GEN.)

The Court at the stage of admission made the following ORDER:

This writ petition is field by the petitioner for issuance of writ of *mandamus* declaring the action of the first respondent in trying to transfer him without considering his representation dated 08.03.2005, as illegal and contrary.

2. It is stated that the petitioner is working as a Head Constable under the Deputy Commandant, CISF Unit, Salarjung Museum, Hyderabad. It is also stated that the petitioner was earlier transferred from SCCL, Singareni, Srirampur, Andhra Pradesh, to Assam CISF Unit OIL, Duliazan State of Assam. Again he was transferred to BHEL, Bangalore under medical grounds. Further, he was transferred to the present post in the month of July, 2004. According to the petitioner, his daughter is physically handicapped and is taking treatment she is as she is mentally retarded at NIMS, Panjagutta, Hyderabad. The Doctors advised him to get her treated for further course. Under the above circumstances, as the petitioner apprehends his transfer, he made a representation to the second respondent explaining all the details. But, however, the said representation was not considered. Hence, the present writ petition.

3. At the time of hearing, it is represented by the learned counsel for the respondents that the petitioner was already transferred by an order dated 30.04.2005 and he had reported for duty at CISF Unit, NSPCL, Durgapur on 30.05.2005. Therefore, the present writ petition does not survive.

4. The learned counsel for the petitioner sought to contend that the transfer made by

the respondents is not in accordance with the guidelines. He further contends that the petitioner has got a mentally retarded daughter, who is taking treatment at NIMS, Hyderabad, therefore, the action of the respondents is not just and proper.

Under the above circumstances, the writ petition is disposed of directing the petitioner to make a representation to the authority concerned. On such representation being made, the authority is directed to consider the same sympathetically and pass appropriate orders.

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S. Ananda Reddy, J

Date: 22.06.2005

Note: Furnish CC in 3 days

B/o

va

To

1 The Deputy Commandant CISF Unit Salarjung Museum, Hyderabad-2
2 The Director General, CISF., Head Quarters, 13 CGO's Complex, Lodi Road, New Delhi

3 Two CD Copies